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IFU 17454

Atty. Dkt. No. 040302-0337

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Itaru SHIBATA et al.
Title: UNIT CELL FOR SOLID OXIDE FUEL CELL AND RELATED METHOD
Appl. No.: 10/642,734
Filing Date: 08/19/2003
Examiner: Stephen J. KALAFUT
Art Unit: 1745
Confirmation Number: 3784

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop After Final
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed after the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application. Accordingly, pursuant to 37 CFR §1.97(d), a statement and fee are required.

RELEVANCE OF EACH DOCUMENT

Documents A1-A4 came to Applicants' attention during a search of the corresponding European application. A copy of the European Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

In a counterpart Japanese application, an Office Action dated August 14, 2006, was received by Applicants. Documents A5-A13 were cited in this Japanese Office Action. According to an English translation of the Japanese Office Action obtained by Applicants' representative, the Japanese Patent Office made certain characterizations of the references. The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the Japanese Office Action. A copy of the Japanese Office Action and English language translation are attached herewith.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a "concise explanation of relevance" for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

FEE

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

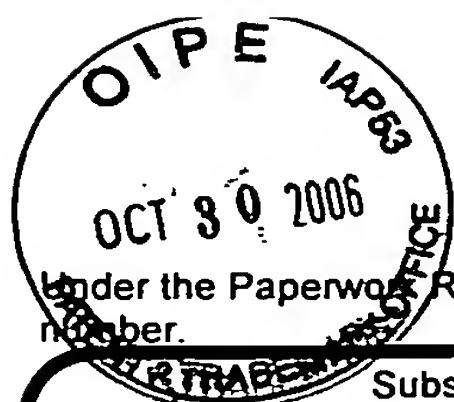
Respectfully submitted,

Date October 30, 2006

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By 

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: October 30, 2006 (use as many sheets as necessary)				Complete if Known	
				Application Number	10/642,734
Sheet 1 of 1				Filing Date	08/19/2003
				First Named Inventor	Itaru SHIBATA
				Art Unit	1745
				Examiner Name	Stephen J. KALAFUT
				Attorney Docket Number	040302-0337

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	4,703,667	11-03-1987	RICHARDS	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	A2	JP 6-173971 A	06-21-1994	TOYOTA MOTOR CORP.		Abst.
	A3	DE 199 28 597 A1	12-30-1999	SAAB AUTOMOBILE		Abst.
	A4	GB 2 101 698 A	01-19-1983	ZAHNRADFABRIK FRIEDRICHSHAFEN AG		
	A5	JP 3-81962 A	04-08-1991	MEIDENSHA CORP.		Abst.
	A6	JP 10-231188 A	09-02-1998	NGK INSULATORS LTD.		Abst.
	A7	JP 8-130017 A	05-21-1996	KYOCERA CORP.		Abst.
	A8	JP 9-050812 A	02-18-1997	NIPPON TELEG & TELEPH CORP.		Abst.
	A9	JP 2002-175814 A	06-21-2002	NGK SPARK PLUG CO., LTD.		Abst.
	A10	JP 1-227362 A	09-11-1989	MITSUBISHI HEAVY IND LTD.		Abst.
	A11	JP 63-185602 A	08-01-1988	MITSUBISHI HEAVY INDUSTRIES, LTD.		Abst.
	A12	JP 3-238758 A	10-24-1991	NKK CORP.		Abst.
	A13	JP 2-227961 A	09-11-1990	NKK CORP.		Abst.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.